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**REMARKS**

Thorough examination and careful review of the application by the Examiner is noted and appreciated.

Claims 1-2, 5-7 and 9-17 are pending in the application.

Claims 1-2, 5-7 and 9-17 stand rejected.

**Claim Rejections Under 35 USC §112**

Claims 5-7 are rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claims 5-7 have been amended to alleviate the Examiner's rejections. A reconsideration for allowance of these claims is respectfully requested of the Examiner.

**Claim Rejections Under 35 USC §103**

Claims 1-2, 5, 9-11 and 13-17 are rejected under 35 USC §103(a) as being unpatentable over Plat et al '751 in view of Holscher et al '292. It is contended that Plat et al teaches a method of depositing and condensing an anti-reflective coating layer including the steps of providing a semiconductor substrate

coated with a polysilicon layer and then depositing a dielectric ARC layer on the polysilicon layer, wherein the dielectric layer typically being SiON. It is further contended that Holscher et al teaches the functional equivalent of a SiON dielectric ARC layer and a SiONH dielectric ARC layer for reducing reflections during patterning of photoresist layers. It is therefore obvious to one of ordinary skill in the art to substitute a SiONH dielectric ARC layer for the SiON dielectric ARC layer in the process of Plat et al with a reasonable expectation of success.

The rejection of claims 1-2, 5, 9-11 and 13-17 under 35 USC §103(a) based on Plat et al '751 and Holscher et al is respectfully traversed.

Plat et al discloses a method for reducing ARC layer removal by condensing the ARC layer. As stated by Plat et al at col. 5, lines 60+:

"The ARC layer is then condensed to approximately the desired thickness, via step 106. The condensing step 106 preferably condenses the ARC layer by about 30%. In the condensing step, the ARC layer therefore increases in density and

decreases in thickness ... because the ARC layer has been condensed, the ARC layer is less subject to removal during a first resist strip and clean ... Furthermore, **condensing the ARC layer does not adversely affect the anti-reflective properties of the ARC layer."**

The Plat et al's process achieves a completely different result than that achieved by the present invention, and therefore, is used for a completely different purpose than the method of the present invention. In the present invention method, the specific combination of the dielectric ARC layer/substrate surface is used to maximize the compatibility between the two. The Plat et al's reference is not concerned with the compatibility problem between an ARC layer and its substrate, i.e. the Plat et al reference does not recognize such a compatibility problem. As such, the Plat et al's method does not provide a solution to solve such problem. In other words, Plat et al does not teach the desirability or the need to use other than SiON ARC material.

The present invention, to the contrary, clearly shows the desirability and the necessity of utilizing an SiONH or SiO<sub>2</sub> dielectric ARC layer on a substrate surface of polysilicon or

silicon nitride. For instance, independent claim 1 clearly recites:

"depositing a dielectric ARC layer on said  $\text{SiN}_x$  or said polysilicon layer wherein said dielectric ARC layer is deposited of a material selected from the group consisting of  $\text{SiO}_2$  and  $\text{SiONH}$ ."

Furthermore, in the present invention specification page 3, line 8 through page 4, line 1:

"The surface of a polysilicon layer or a silicon nitride layer is also highly reflective, almost matching that of an aluminum layer. The high reflectivity of the surface of polysilicon or silicon nitride renders an imaging process for lithography difficult to carry out. The use of an anti-reflective coating layer on top of the polysilicon or the silicon nitride prior to depositing a photoresist layer is therefore necessary. For compatibility reasons, a dielectric type anti-reflective coating material is more suitable for coating the polysilicon or the silicon nitride surface."

The present invention is therefore aimed to solve a specific problem, that was not even recognized by either Plat et al nor Holscher et al, of compatibility between layers of different materials. It is only the present invention that recognizes such problem, and therefore, it is only the present invention that teaches a solution to such problem, i.e. a specific combination of dielectric ARC materials of SiONH or SiO<sub>2</sub> on top of polysilicon or SiN<sub>x</sub> surfaces. This is neither taught or disclosed by Plat et al or Holscher et al, either singularly or in combination thereof.

The Applicants respectfully submit that while the Examiner attempted to combine the Plat et al reference with the Holscher et al reference, the Applicants submit that there can be no motivation for such combination. The Applicants cannot find any suggestion in either reference as to the desirability of such modification. In re Brouwer, 37 USPQ 2d 1663 (Fed. Cir. 1996). Without such suggestions made in either of the references, the basis for the selection of the references and the purported modification must undoubtedly be hindsight drawn from Applicants' disclosure. In re Oetiker, 24 USPQ 2d 1443 (Fed. Cir. 1992). In the present case, Plat et al does not contain any teaching or suggestion that there SiON ARC layer is not compatible with the

substrate surface that SiON is coated on. Similarly, Holscher et al does not contain any teaching or suggestion that the SiONH ARC layer is especially compatible with certain substrate surfaces. Lacking such suggestion or desirability, there can be no motivation in combining the two references in arriving at the present invention method.

The rejection of claims 1-2, 5, 9-11 and 13-17 under 35 USC §103(a) based on Plat et al and Holscher et al is respectfully traversed. A reconsideration for allowance of these claims is respectfully requested of the Examiner.

Claims 6 and 7 are rejected under 35 USC §103(a) as being unpatentable over Plat et al in view of Holscher et al and further in view of Demirlioglu et al '704.

It is contended that the combination of Plat et al and Holscher et al does not teach a method in which the gas used in annealing is N<sub>2</sub>, however, such is taught by Demirlioglu et al.

Claims 6 and 7 depend on independent claim 1, which clearly recites a dielectric ARC layer of  $\text{SiO}_2$  or  $\text{SiONH}$  on a substrate surface of  $\text{SiN}_x$  or polysilicon. The Applicants have clearly shown above that such is not taught or disclosed by either one or the combination of the two primary reference of Plat et al and Holscher et al. The Applicants therefore respectfully submit that the additional reference of Demirlioglu does not lend any additional weight in a §103(a) rejection of claims 6 and 7. A reconsideration for allowance of these claims is respectfully requested of the Examiner.

Claims 1-2, 6, 9-11 and 13-16 are rejected under 35 USC §103(a) as being unpatentable over Holscher et al in view of Plat et al.

The rejection of claims 1-2, 6, 9-11 and 13-16 under 35 USC §103(a) based on Holscher et al and Plat et al is respectfully traversed.

As previously presented, the Applicants have clearly shown that the combined teachings of Holscher et al and Plat et al does not teach the invention contained in independent claims 1 and



13 since neither reference recognizes the problem of compatibility, and therefore, neither reference provides such a solution, as provided by the present invention. Furthermore, neither reference contains any teachings on the desirability of such combination, i.e. Holscher et al does not teach that their SiONH ARC layer is especially suitable for improving compatibility with certain substrate surfaces, while Plat et al does not contain any teaching that SiON ARC layer is inadequate in any way due to compatibility problems.

The rejection of claims 1-2, 6, 9-11 and 13-16 under 35 USC §103(a) based on Holscher et al and Plat et al is respectfully traversed. A reconsideration for allowance of these claims is respectfully requested of the Examiner.

Claims 5, 7 and 17 are rejected under 35 USC §103(a) as being unpatentable over Holscher et al in view of Plat et al and further in view of Sandhu et al '282.

Dependent claims 5 and 7 depend on independent claim 1, while claim 17 depends on independent claim 13. As presented above, the Applicants have clearly shown that independent claims 1 and 13 are not rendered obvious based on Holscher and Plat since neither reference recognizes the desirability of improving compatibility between different material layers, and therefore, neither reference has provided such solution. The Applicants respectfully submit the additional reference of Sandhu et al, while teaching an annealing environment of O<sub>2</sub>, does not lender any additional weight in a §103(a) rejection. A reconsideration for allowance of these claims is respectfully requested of the Examiner.

Claim 12 is rejected under 35 USC §103(a) as being unpatentable over Holscher et al in view of Plat et al and further in view of either Lee '672 or Yao '734.

Dependent claim 12 depends on independent claim 1, which the Applicants have clearly shown is not rendered obvious based on the Holscher and Plat references. While the Applicants do not dispute that Lee or Yao et al teaches specific ranges of refractive indexes and range of extinction coefficients of certain typical ARC

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layers, the Applicants respectfully submit that the basic process defined by claim 1 of utilizing a specific combination of  $\text{SiO}_2$  or  $\text{SiONH}$  ARC layers on top of a specific substrate surface of  $\text{SiN}_x$  or polysilicon is not taught or disclosed by either one of the two primary references. The additional references of Lee and Yao do not lend any additional weight in a §103 rejection of claim 12. A reconsideration for allowance of claim 12 is respectfully requested of the Examiner.

Based on the foregoing, the Applicants respectfully submit that all of the pending claims, i.e. claims 1-2, 5-7 and 9-17, are now in condition for allowance. Such favorable action by the Examiner at an early date is respectfully solicited.

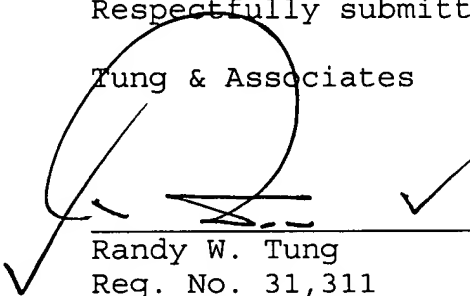
Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version With Markings To Show Changes Made".

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In the event that the present invention is not in a condition for allowance for any other reasons, the Examiner is respectfully invited to call the Applicants' representative at his Bloomfield Hills, Michigan office at (248) 540-4040 such that necessary action may be taken to place the application in a condition for allowance.

Respectfully submitted,

Tung & Associates



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In The Claims

Claim 5 has been amended as follows:

5. (Amended) A method for adjusting the optical properties of an anti-reflective coating layer according to claim 1, wherein [said] a gas used in said annealing process is O<sub>2</sub>.

Claim 6 has been amended as follows:

6. (Amended) A method for adjusting the optical properties of an anti-reflective coating layer according to claim 1, wherein [said] a gas used in said annealing process is N<sub>2</sub>.

Claim 7 has been amended as follows:

7. (Amended) A method for adjusting the optical properties of an anti-reflective coating layer according to claim 1, wherein [said] a gas used in said annealing process is a mixture of O<sub>2</sub> and N<sub>2</sub>.

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